

Rivera, Adrienne

From: Steve Bain <sbain@wsmtlaw.com>
Sent: Friday, September 8, 2017 2:16 PM
To: Swanson, Amy
Cc: Hohman, Darla; Steve Bain
Subject: RE: Draft Peter K. Roosevelt SPCC Settlement Document
Attachments: Swanson EPA Letter_09.08.17 (00581687).pdf; Complaint and Consent Agreement (00581610).pdf

Amy,
Please find attached as requested the Combined Complaint and Consent Agreement executed by Mr. Roosevelt.
Regards,
Steve Bain

Stephen A. Bain
Attorney

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From: Swanson, Amy [mailto:Swanson.Amy@epa.gov]
Sent: Monday, August 28, 2017 10:54 AM
To: Steve Bain
Cc: Hohman, Darla
Subject: Draft Peter K. Roosevelt SPCC Settlement Document

Privileged and Confidential
Settlement Communication Subject to Fed. R. Evid. 408

Steve. Good morning. Attached for your and your client's review and consideration is a draft Combined Complaint and Consent Agreement to fully resolve the Spill Prevention, Control and Countermeasure violations alleged against your client pertaining to the P6-21 Porter, 11-25 Barker and 13-17 Benton facilities in Fall River County, South Dakota. The document reflects the previously agreed upon settlement amount of \$50,000, as well as the current SPCC compliance status of the facilities. At your and Mr. Roosevelt's earliest convenience, please let me know if the terms and conditions set forth in the draft CCCA are acceptable. If the document is acceptable to Mr. Roosevelt as is, please direct him to sign the document and return the original document to me by regular mail. If you or Mr. Roosevelt request changes to the document, please provide me with the proposed revisions by email or call me to discuss. Upon receipt of the signed document from Mr. Roosevelt, I will submit the document to EPA management for signature. Once the document is fully-executed, we will post the public notice for 30 days. Ten days later (for a total of 40 public notice period of days), I will file the document with the EPA Region 8 Regional Hearing Clerk. Mr. Roosevelt will have 30 days to pay the penalty from the date he receives the Final Order from the Regional Judicial Officer. On behalf of the EPA, please extend our sincere appreciation to Mr. Roosevelt for his willingness to address the SPCC issues and resolve this matter amicably. Thank you,

Amy Swanson | Senior Attorney
Legal Enforcement Program | USEPA Region 8 | 8ENF-L
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